

Amendment No. 1 to HB0711

Terry
Signature of Sponsor

AMEND Senate Bill No. 614*

House Bill No. 711

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following new section:

(a) A physician licensed pursuant to this chapter who encounters a patient in this state with an illness or injury that the physician believes, based upon the physician's own knowledge and experience, is related to an induced abortion shall report the encounter to the department of health no later than sixty (60) days after the encounter. The physician shall report the encounter to the department by a Complications of Induced Abortion Report as described in SECTION 3.

(b) A willful violation of subsection (a) is considered unprofessional conduct and is subject to licensure sanction by the board of medical examiners, including suspension, revocation, or other restriction deemed appropriate by the board.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 9, is amended by adding the following new section:

(a) An osteopathic physician licensed pursuant to this chapter who encounters a patient in this state with an illness or injury that the osteopathic physician believes, based upon the osteopathic physician's own knowledge and experience, is related to an induced abortion shall report the encounter to the department of health no later than sixty (60) days after the encounter. The osteopathic physician shall report the encounter to the department by submitting a Complications of Induced Abortion Report as described in SECTION 3.

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(b) A willful violation of subsection (a) is considered unprofessional conduct and is subject to licensure sanction by the board of osteopathic examination, including suspension, revocation, or other restriction deemed appropriate by the board.

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 1, Part 1, is amended by adding the following new section:

(a) No later than sixty (60) days after the effective date of this act, the department of health shall promulgate and make available on its publicly accessible website a Complications of Induced Abortion Report for all physicians licensed and practicing in this state. The department shall include data from submitted reports in its annual report of selected induced termination of pregnancy data. However, this section does not require the department to, and the department shall not, release the data in a manner that could identify individual patients.

(b) The Complications of Induced Abortion Report must contain a notice with an assurance that public records based on the submitted report must not contain personally identifying information about any female, and that personally identifying information in the report is not a public record for purposes of title 10, chapter 7, nor discoverable in the course of any legal proceeding.

(c) The Complications of Induced Abortion Report must be substantially similar to the following form:

Complications of Induced Abortion Report

1. Name and specialty field of medical practice of the physician filing the report:

_____.

2. Did the physician filing the report perform or induce the abortion?
_____.
3. Name, address, and telephone number of the healthcare facility where the induced abortion complication was discovered or treated: _____.
4. Date on which the complication was discovered: _____.
5. Date on which, and location of the facility where, the abortion was performed, if known: _____.
6. Age of the patient experiencing the complication: _____.
7. Describe the complication(s) resulting from the induced abortion:
_____.
8. Circle all of the following complications that apply:
- a. Death.
 - b. Cervical laceration requiring suture or repair.
 - c. Heavy bleeding/hemorrhage with estimated blood loss of greater than or equal to 500cc.
 - d. Uterine perforation.
 - e. Infection.
 - f. Failed termination of pregnancy (continued viable pregnancy).
 - g. Incomplete termination of pregnancy (retained parts of fetus requiring re-evacuation).
 - h. Other (may include psychological complications, future reproductive complications, or other illnesses or injuries that in the physician's medical judgment, based upon the physician's own knowledge and experience, occurred as a result of an induced abortion. Specify diagnosis.):
_____.
9. Type of follow-up care, if any, recommended: _____.

10. Will the physician filing the Complications of Induced Abortion Report be providing the follow-up care (if not, the name of the medical professional who will, if known)? _____.

11. Name and license number of the physician filing the Complications of Induced Abortion Report: _____.

SECTION 4. For purposes of promulgating the report required by this act and any rules the department deems necessary to implement this act, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect sixty (60) days after the date it becomes a law.